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Eighteenth progress report of the Secretary-General on the United Nations Mission in Liberia

I. Introduction

1. By its resolution 1836 (2008), the Security Council extended the mandate of the United Nations Mission in Liberia (UNMIL) until 30 September 2009, and requested me to report on progress made in achieving the core benchmarks set out in my report of 19 March 2008 (S/2008/183) and any subsequent refinements recommended. It also requested me, in view of the extent of that progress, to recommend any further adjustments to the military and police components of UNMIL and to include long-range scenarios for a phased drawdown and withdrawal of the UNMIL troop contingent, as the situation would permit and without compromising the security of Liberia. The Security Council also asked for a comprehensive assessment of the progress towards building the capacity of the Liberian National Police and the contribution of UNMIL towards that goal, as well as recommendations on possible adjustments needed to UNMIL police training or concept of operations. The present report covers the above and also provides an update on major developments in Liberia since my report dated 15 August (S/2008/553).

II. Major developments

A. Political situation

2. President Ellen Johnson-Sirleaf's six-year tenure reached its midpoint on 16 January. The relationship between the legislative and executive branches has continued to improve, allowing for the adoption of several key legislative bills, including the Defence Act and the Liberia Anti-Corruption Commission Act. However, other important draft bills are pending, owing partly due to the suspension of the Senate's President Pro Tempore. The leadership dispute in the Senate seriously hampered the work of the Legislature during the second half of 2008.

3. The National Elections Commission drafted and submitted to the Legislature a number of constitutional amendments, which were deferred to the present legislative session to allow further consultations. These amendments are particularly important because, while the 2005 elections were conducted under the Accra Comprehensive Peace Agreement that suspended parts of the Constitution and established ad hoc

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arbitration mechanisms, the 2011 elections will be conducted in full accordance with the Constitution. A comprehensive plan for the preparation and conduct of the elections, including the required financial and technical support, has yet to be developed.

4. Amendments to the Constitution require approval by referendum, conducted at least a year after adoption by the Legislature. If the National Elections Commission draft bills are passed, a decision needs to be made on whether these will go to referendum separately or be part of a broader constitutional reform. On 2 February, the President constituted a constitutional reform task force, in accordance with a recommendation of the Governance Commission, mandated to oversee political and legal reform. It is important to urgently address the issue, as the constitutional reform process could have serious implications for the preparations of the 2011 elections. Furthermore, priority should be given to strengthening political parties and revising registration rules to facilitate broader national platforms. Draft legislation to this effect has been submitted by the National Elections Commission to the Legislature.

5. Although the Government has undertaken some reconciliation initiatives, and a number of activities are being planned to promote dialogue at the grassroots level, tensions between ethnic groups and communities remain a concern, especially given the recent escalation of some disputes over land or natural resources. On 13 October, the Truth and Reconciliation Commission released the findings of its conflict mapping survey, identifying land and property disputes as key threats to Liberia's fragile peace. The following month, a long-standing land dispute between two communities in Nimba County erupted into violent confrontation, underscoring the urgency with which the Government must address the often related issues of land reform and reconciliation. If not resolved, such tensions and conflicts could be manipulated for political or other motives, particularly in the period leading up to the 2011 elections.

6. The Truth and Reconciliation Commission continued its public hearings, and the first volume of its report, containing an overview of the root causes of the Liberian conflict, was sent to the Legislature and the President in December 2008. Subsequent volumes of the report are expected to be released in 2009. Reactions to the report's recommendations, including the possible establishment of a court to try persons bearing the greatest responsibility for serious crimes and gross human rights violations committed during the conflict, could present security challenges that would require close monitoring. At the same time, adequate follow-up mechanisms, including a functioning independent national commission on human rights, should be put in place before the conclusion of the work of the Truth and Reconciliation Commission.

7. During the period under review, the allocation of $15 million from the United Nations Peacebuilding Fund was fully programmed in support of the priority projects of the Government, including those related to reconciliation and conflict management. A peacebuilding office was established within the Ministry of Internal Affairs in December for the purpose of developing national capacity and ownership of the peacebuilding process.

B. Security situation

8. The overall security situation in Liberia remained relatively stable, but continued to be characterized by an underlying fragility, partly owing to weak national security institutions. The achievement of a steady state of security in Liberia depends both on the level of security risks and national capacity to handle possible fallouts. There continues to be a sustained prevalence of law and order incidents, including armed robbery, mob violence, rape and attacks on on-duty Liberian National Police officers. The number of incidents has fluctuated during recent months, and increased during the holiday period.

9. Tensions between ethnic or regional groups are often linked to disputes over access to resources. In that regard, the high number of unemployed or underemployed youth remains a particular challenge, since they constitute a volatile group that could be used by spoilers seeking to undermine stability.

10. Drug trafficking in the subregion remained a serious concern. There were several seizures of large quantities of marijuana, and there are indications that marijuana cultivation in Liberia is exceeding domestic consumption. In addition to drug-related crime, particularly armed robbery, the possible trafficking of drugs to neighbouring countries points to the existence of cross-border networks that could be utilized for other purposes, including trafficking in light weapons. The limited capacity of national authorities to control the sea and land borders leaves the country vulnerable to international organized crime networks.

11. In October, UNMIL had to quell violent disturbances involving ex-combatants in Nimba, Grand Cape Mount and Grand Gedeh counties caused by misunderstandings regarding reintegration benefits and intended beneficiaries of a programme to assist the final caseload of former combatants who had not benefited from reintegration opportunities. On a positive note, the final phase of the reintegration and rehabilitation programme will be completed by April 2009, ending all targeted disarmament, demobilization and reintegration activities in Liberia. At the same time, many ex-combatants stay connected through local networks, and some are involved in illegal economic activities, including illicit mining and rubber tapping.

C. Economic situation

12. The Government has remained focused on the implementation of deliverables under each of the four poverty reduction strategy pillars: (a) security; (b) economic recovery; (c) rule of law; and (d) infrastructure and basic services. Each poverty reduction strategy pillar working group has been tasked to monitor progress closely and help overcome practical implementation challenges. At the macro level, the Liberia economy was expected to have grown by around 7 per cent in 2008, down from 9.5 per cent in 2007, owing to a general decrease in commodity prices and slow progress in the commercial forestry and mining sectors. Nominal gross domestic product (GDP) was estimated at $871 million in 2008, with a per capita GDP of $221. Owing to the rising food and fuel prices, the trade deficit doubled during 2008 and the 12-month inflation rate peaked at 22 per cent in October. However, with the sharp decline in import prices since October, the 12-month rate dropped to 9.4 per cent at end-December and the slowdown in inflation is expected

to continue in 2009. National revenue collection rose nearly 40 per cent in the last fiscal year, although this must be seen in relation to the still-modest revenue target of $278 million this year. The Government has maintained its policy of a balanced budget.

13. The global financial crisis is expected to reduce the levels of foreign direct investment, exports and remittances, which would likely slow the rate of economic growth in Liberia. Liberia has undertaken a number of economic reform initiatives, and achieved all of the quantitative targets of the International Monetary Fund-supported programme through June 2008. However, while Liberia has made gains in its external competitiveness, significant structural bottlenecks remain, including the lack of infrastructure, delay in obtaining legislative support for proposed public financial management reforms, and significant capacity constraints. It will also be critical for the Government to ensure a transparent and predictable investment climate, including enforcing necessary anti-corruption measures.

14. The Government managed to mitigate the effect of recent high food prices by maintaining a low tariff regime, ensuring sufficient supply through bilateral agreements, and is taking steps to develop commercial agriculture. These efforts have been supported by a joint Government/United Nations food security and nutrition programme.

15. An infestation of highly destructive worms that attacked crops and vegetation in Bong, Gbarpolu and Lofa counties led the President to declare a State of National Emergency on 26 January 2009. The Government reacted swiftly to establish coordination mechanisms and ensure an adequate response. However, technical expertise and materials to deal with the infestation are limited within Liberia.

D. Humanitarian situation

16. The humanitarian situation continued to improve, although remote communities often live in precarious circumstances with limited access to basic services. Funding for humanitarian activities is significantly reduced from previous years and is expected to decrease further in 2009 as a result of the global economic situation. The humanitarian appeal for Liberia, launched in early 2008, had received 61 per cent of the $43.8 million requested as at 31 December. That included a donation of $1.9 million from the United Nations Central Emergency Response Fund to support emergency distributions of pesticides and fertilizer to improve the 2008 crop harvest to mitigate food insecurity. The consequences of rising food prices and the overall economic downturn continue to be monitored, especially those related to nutrition and food security.

17. Large-scale assisted repatriation to Liberia concluded in mid-2007. However, after disturbances in Ghana involving Liberian refugees in early 2008, another voluntary return operation was initiated in April 2008. By end January 2009, a total of 9,775 returnees had been repatriated, with returns from Ghana to continue through March. Humanitarian partners have updated regional contingency plans for potential cross-border movements from Côte d'Ivoire and Guinea.

E. Regional dimension

18. The situation along the borders of Liberia remained relatively calm but unpredictable. The death of President Lansana Conté in December 2008 and the subsequent military coup in Guinea contributed to the uncertainty of the security environment in Liberia, owing to the long-standing cross-border relationships and ethnic affinities between the peoples of the two countries, which had played a significant role during the Liberian civil conflict. The closure of a Guinean border post in mid-January 2009, although an isolated case, underscored the unpredictable environment along the border. Furthermore, the announcement that elections will be organized in 2009 could mean that Côte d'Ivoire and Guinea will hold elections within similar time frames.

19. The postponement of the elections in Côte d'Ivoire and limited progress in the Ivorian disarmament process, including the dismantling of the militias in the west of that country, also exacerbate the fragile situation in the region. There has been an increase of unsubstantiated reports in the Liberian media about armed groups crossing the border from Côte d'Ivoire and Guinea, creating serious concern among Liberian security agencies and public anxiety. A joint assessment by the United Nations Operation in Côte d'Ivoire (UNOCI), UNMIL and the United Nations Development Programme concluded that approximately 1,500 to 2,000 Liberian ex-combatants remain in western Côte d'Ivoire near the Liberian border, and need to be closely monitored. The level of border monitoring has been increased, including through joint operations of UNMIL with the security forces of Sierra Leone and Guinea, as well as with UNOCI.

III. Implementation of the mandate of the Mission

A. Security sector reform

National security strategy and architecture

20. Following the completion of the national security strategy, a detailed implementation matrix, covering all security and law enforcement agencies, including the Armed Forces of Liberia and the Liberian National Police, was finalized and approved as the road map for security sector reform. Among the key challenges are significant capacity deficits, dependence on donor funding and the need to establish county security coordination mechanisms. At the national level, the division of labour between security institutions outlined in the national security strategy needs to be effectuated, including through the adoption of pending intelligence legislation. Increased coordination capacity within the designated institutions will also be required.

Armed Forces of Liberia

21. The United States of America continues to lead international support for the building of the new Armed Forces of Liberia, which reached its planned strength of 2,000 troops in August 2008, when the last batch of recruits completed basic training. The first battalion was activated at the same time, followed by the second battalion in December 2008. Depending on the outcome of the readiness training evaluation, currently scheduled from July to September 2009 for the first battalion,

initial integrated training with UNMIL could begin during the first quarter of 2010. Work has also commenced on an overarching national defence strategy within the Ministry of Defence.

22. It will take more time, probably several years, to develop the command and control structure of the Armed Forces of Liberia. In the meantime, a number of key positions are filled by seconded military officers from the Economic Community of West African States (ECOWAS) countries. Furthermore, as the Liberian National Police reform process illustrates, the transition from undertaking joint planning and operational activities with international partners to being fully independently operational will be a challenge for all security institutions, including the Armed Forces of Liberia, which is not expected to reach this level before 2011.

23. There have been a number of incidents of indiscipline and failure to respect the rule of law by Armed Forces of Liberia soldiers. In order to prevent impunity within the new army, all incidents of indiscipline must be adequately addressed by the appropriate national authorities, as was the case in September 2008, when 16 soldiers were dismissed in accordance with military guidelines for acts of insubordination after rioting in their barracks.

Liberian National Police

24. The reform and strengthening of the Liberian National Police made progress, in particular with the formulation of a five-year Liberian National Police strategic plan, providing a comprehensive development framework. The Government, together with UNMIL and other international partners, is currently preparing a corresponding support programme to facilitate the implementation of the plan. In addition, training and infrastructure development continue, and the validation exercise to confirm the deployment status of all Liberian National Police officers was completed with 3,546 officers verified at their posts. However, the achievement of full operational capability remains a major challenge. The Liberian National Police has not yet reached a level of sustained operational effectiveness to independently ensure public safety and security, and still requires support from UNMIL police advisers and formed police units to carry out even routine patrolling.

25. Severe logistical and infrastructure limitations and insufficient funding to cover operational and recurrent costs continue to be major constraints. Although deployment numbers have increased outside Monrovia and several police stations have been rehabilitated, the police presence beyond county capitals remains limited. This is largely owed to a lack of mobility and absenteeism among Liberian National Police officers, including personnel abandoning their posts to collect salaries in Monrovia. In the capital, the ability of the Liberian National Police to respond adequately in many high crime areas of the capital also remained hampered by the lack of mobility and basic patrol gear.

26. Significant limitations also remain with respect to individual competencies, including management capacity and specialized skills. On a positive note, the capacity of the National Police Training Academy has increased. Although most training programmes remain dependent on external support, most courses are now taught by trained Liberian National Police instructors. Work is ongoing to ensure that funding for the academy is included in next fiscal year's budget.

27. Weaknesses related to command and control structures, including the capacity to plan and execute operational activities, and continued problems of misconduct and discipline are being addressed. Further, the capacity of the Professional Standards Division within the Liberian National Police to investigate complaints and misconduct has increased significantly over recent months. It is important to ensure that its recommendations are implemented and that disciplinary actions are effectuated.

28. Although many challenges remain, the development of the 500-strong Liberian National Police Emergency Response Unit is now progressing, following months of funding shortfalls and lack of equipment. Recruitment for the Unit has been slow, partly owing to a delay in the finalization of incentives for its personnel. So far, two classes with a total of 139 officers, including one female officer, have graduated, while the third class, consisting of 70 officers, is currently undergoing training. The Unit represents a well-trained armed police component, but requires additional practical experience to increase operational effectiveness. The Unit has been utilized in limited joint operations planned and implemented with UNMIL police advisory support. On several occasions, it has arrested targeted criminals, including armed robbers and escaped prisoners, which has been positively received by the public. While general assessment of the Unit's performance has been good, Liberian National Police leadership and UNMIL have jointly identified some areas of concern, primarily with respect to the use of firearms, the misuse of assets, and insubordination. Special attention has been given to incidents where firearms have been discharged, all of which were thoroughly investigated.

29. As part of the effort to restore public confidence in the police, community police forums were established in all counties to strengthen contacts between the Liberian National Police and local communities. These networks have provided useful information to police investigations in a number of cases, and appear to have contributed to an improved public perception of the Liberian National Police in some counties.

30. UNMIL is continuing to support the restructuring of the Liberia Bureau of Immigration and Naturalization, including through the rehabilitation of its offices in the counties. The Bureau has received limited assistance from donors, but preliminary discussions are ongoing about possible UNMIL support for the development of a strategic plan. This would provide a comprehensive framework for the organizational strengthening of the Bureau, thereby making it easier for donors to contribute.

B. Strengthening judicial, legal and corrections institutions

31. The convening of the National Rule of Law Retreat in September 2008 was a major step forward, being the first time the three branches of government engaged in dialogue regarding rule of law issues. A resolution committing all branches to ongoing coordination was endorsed. The Judiciary has since engaged in drafting a three-year strategic plan, while a similar process for the Ministry of Justice is scheduled for the first half of 2009. Although important, the results of the retreat are only an initial step. Substantial challenges remain, including shortages of qualified personnel, insufficient funding, lack of infrastructure and equipment, poor administration and case flow management, corruption and the need for law reform.

32. The appointment of 10 legally qualified county attorneys has improved the quality of prosecutions, but the absence of public defenders has reduced the impact, as trials cannot proceed without defence counsel. One third of the counties have not been assigned public defenders, while in the others they are mainly restricted to county capitals, and legal advice clinics are operating in only three counties. While the launch of the Judicial Training Institute in June 2008 was an important step to address the shortage of qualified staff, it has yet to become fully operational, primarily because of lack of budgetary funding. UNMIL is assisting the Ministry of Justice to develop review mechanisms to address poor case flow management in the criminal justice system, which continues to undermine public confidence and leaves large numbers of prisoners in prolonged pre-trial detention.

33. The Liberian corrections sector is still characterized by weak physical infrastructure and low budgetary allocation. The sector is additionally strained by massive overcrowding in most facilities. There were 31 separate incidents of prison breaks during the reporting period. The most serious was the riot and subsequent escape of 163 prisoners from Monrovia Central Prison in December 2008, of which 85 remain at large. However, the Government is focusing increasingly on the sector, and a draft Bureau of Corrections strategic plan is currently being reviewed. In addition, two new correction facilities were completed and rehabilitation work at seven others was conducted. Of the 500 officers targeted for the Liberian corrections system, 209 have been trained and deployed, with recruitment of the remaining 291 dependent on additional funding.

34. Through the Joint Programme on Sexual and Gender-based Violence, developed by the Government and the United Nations, a special court was established to address the significant number of sexual and gender-based violence offences. This is a sign of the Government's commitment to address sexual and gender-based violence; however, the court remains dependent on external donor funding. Discussions have also begun to explore policy options regarding the relationship between formal and informal/traditional justice systems, which are used by the vast majority of Liberians.

C. Promotion of human rights

35. There is growing Government commitment to address human rights issues, including through the designation of a specific Court with exclusive jurisdiction over the crimes of rape and other sexual offences. Also, strategic planning towards judicial reform is seen as an important advance towards improving institutional protection of human rights. However, the overall capacity of the Government to address human rights issues remains limited, due in particular to the constraints within the relevant judicial and security institutions highlighted in the present report. The lack of human rights awareness among the general population, especially in rural areas, also constitutes a serious challenge to the promotion and protection of human rights.

36. Harmful traditional practices, including trials by ordeal, ritual killings and female genital mutilation, continue to be widely practiced, in some cases with the knowledge or encouragement of local authorities. The conviction of 14 persons for a murder committed in the course of a trial by ordeal in November 2007 was a positive development. However, the presidential clemency granted to them in

September 2008, following an appeal made by the victim, perpetrators, County Legislators, local leaders and communities, illustrates how deeply entrenched such practices are. Furthermore, owing to limited access to education, health and social welfare services, a large percentage of the population remain unable to realize their economic and social rights.

37. The independent national commission on human rights has yet to be established, partly owing to a delay in the adoption of amendments to provisions in the Act establishing the commission. In addition, the Government has expressed its intention to develop a national human rights action plan, which will be supported by the Mission, although the process has not yet been initiated.

D. Consolidation of State authority

38. There has been some progress in the consolidation of State authority, with an increased presence of public officials throughout the country, the renovation of a majority of county administrative buildings, and the strengthening of coordination and monitoring structures, especially at the county level. The reach and effectiveness of State authority, however, is still limited, especially in remote areas, owing to a shortage of adequately trained officials, low incentives and limited infrastructure.

39. The Liberian Institute of Public Administration and the Ministry of Internal Affairs, supported by the United Nations County Support Team project, have engaged in training local government officials, with a focus on implementation of county development agendas. The establishment of County Development Funds for local development initiatives has marked an initial step towards decentralization, although in some cases management of the Funds was the subject of extensive corruption allegations, leading the Government to request the General Audit Commission to examine accounts and procedures.

E. Governance

40. Over the past months, President Johnson-Sirleaf has frequently underlined the importance of governance reforms, and in particular the need to fight corruption, which she declared "public enemy number one". The President has noted that most public institutions inherited by her Government were based on a corrupt and criminalized value system. The issue continued to attract widespread public attention, with allegations of corruption against government officials and civil servants both at national and local levels. Corruption has the potential to seriously undermine the development gains achieved, if not properly addressed. The Government, in a number of cases where clear evidence was provided, has suspended or dismissed civil servants, including a County Superintendent, Ministry personnel and senior Central Bank officials. Trials continued against Charles Gyude Bryant, former Chairman of the National Transitional Government of Liberia, for the alleged misappropriation of $1 million, and against Edwin Snowe, former Speaker of the House of Representatives, for the alleged theft of $1 million of public funds.

41. The President has emphasized that, although they should not be used as an excuse to delay anti-corruption efforts, audits and investigations must follow

established procedures to ensure due process. The Legislature passed the Anti-Corruption Act and the Liberia Anti-Corruption Commission was established; however, it is not yet fully operational and key supporting legislative bills remain to be enacted, including the Public Service Code of Conduct. In addition, the General Audit Commission recently submitted reports on 14 public sector institutions and is expected to undertake audits of high risk public transactions in early 2009, including of the Ministries of Health, Education, Public Works, and Lands, Mines and Industries. These efforts were supplemented by the inauguration of the Liberia Extractive Industries Transparency Initiative, aimed at ensuring transparency in revenue and royalty payments, and continued advances made under the Governance and Economic Management Assistance Programme. Accountability, transparency and oversight weaknesses within public institutions are, however, closely linked to overall capacity constraints and the need for comprehensive civil service and public financial management reforms and modernization.

42. The Governance Commission submitted to the Legislature a draft Land Commission Act to address conflicts over land ownership. The continued delay in adopting the legislation is a concern, given the contentious nature of most land disputes, many of which have led to violent confrontations between opposing groups and communities.

F. Management of natural resources

43. The Kimberley Process Certification Scheme for diamonds continues to be operational, although challenges remain owing to poor infrastructure and inadequate security and administrative coverage in mining areas. The global financial crisis could threaten the integrity of the Scheme, as miners and brokers become tempted to sell to unofficial buyers. Progress has been made towards the establishment of a mining cadastral system and in the drafting of a new mineral exploration regulation, aiming to improve State control over mining areas. However, the establishment of permanent regional offices of the Government Diamond Office has been delayed, making monitoring of mining activities and compliance with licensing requirements a challenge. In addition, negotiations have concluded for a projected $2.6 billion foreign investment to bring the iron ore deposit in Bong County into production within the next two years, including an agreement to recondition parts of the Freeport in Monrovia and to construct a hydropower plant. Work at the iron ore concession in Nimba County continues, although delays have been reported owing to diminished global demand.

44. The Forestry Development Authority awarded the first three forestry management contracts, encompassing 235,876 hectares in three counties, for a contract period of 25 years. Bids have been invited for an additional four, covering a total of 771,390 hectares in seven counties. The management of the forestry sector still faces a number of challenges, including the need to harmonize forestry regulations with the National Forestry Reform Law of 2006 and the allocation of commercial concessions. With respect to community rights to forest lands and resources, legislation has been delayed because of difficulties in striking a balance between community, environmental and commercial interests.

45. The Government has made progress in regulating the rubber market to lower incentives for rubber theft, including the imposition of a moratorium on the export

of unprocessed rubber. However, there is limited government capacity to enforce the new measures. Additionally, planning has been revitalized to address the situation at Sinoe Rubber Plantation, which continued to be operated informally, including by an organized network of former combatants. After a period of extraordinary increases in rubber prices, the global economic downturn has severely cut the price, contributing to sometimes violent confrontations on large plantations, where salary cuts and layoffs have been made.

IV. Cross-cutting issues within the Mission

A. Public information

46. UNMIL continued to support the Government to communicate key messages to the population, primarily through UNMIL Radio and community outreach activities. Among other things, messages promoted reconciliation, especially with regard to the Truth and Reconciliation Commission, and the strengthening of the rule of law and good governance, including anti-corruption and anti-crime efforts. UNMIL has also worked to improve the public image of the national police, emphasizing the role of the media in promoting Liberian National Police activities.

B. HIV/AIDS

47. In addition to conducting trainings for it personnel, UNMIL continued to collaborate with the Government to raise awareness more broadly, including through UNMIL Radio. The joint United Nations team on AIDS assisted with the amendment of the public health law.

C. Gender

48. The Government, with United Nations support, continues to implement the national plan of action on gender-based violence. The Ministry of Gender also finalized the Liberia national action plan on the implementation of Security Council resolution 1325 (2000) on women, peace and security. Furthermore, Liberia submitted its first report on the Convention on the Elimination of All Forms of Discrimination against Women. Orientation to strengthen gender mainstreaming in the implementation of the mandate of the Mission, in accordance with resolution 1325 (2000), was given to 17 gender focal points from UNMIL sections, 13 women and 4 men.

D. Personnel conduct and discipline

49. UNMIL continues to focus on strategies to prevent, report and effectively respond to all categories of United Nations personnel misconduct by implementing United Nations policies and procedures on standards of conduct, including the Secretary-General's zero tolerance policy on sexual exploitation and abuse. During the reporting period, there were 14 serious misconduct cases reported, including 9 allegations of sexual exploitation and abuse, and over 78 minor misconduct cases. The majority of minor misconduct cases were alleged thefts, which continue to

increase. Of the sexual exploitation and abuse cases, the Office of Internal Oversight Services referred one case back to the Mission, while eight are pending.

E. Security and safety of United Nations personnel

50. Mission personnel continued to experience security and safety hazards. Safety concerns for both national and international United Nations employees are related primarily to crime, in particular armed robbery, violence and mob justice, traffic accidents and health threats, including malaria. Between September 2008 and January 2009, one UNMIL national staff member, five military personnel and one police staff member died as a result of illness, vehicular accident and accidental discharge of a weapon, respectively.

V. Mission deployment

Military component

51. By its resolution 1836 (2008), the Security Council approved my recommendation to reduce the military component of UNMIL by 1,460 troops during the second phase of the UNMIL drawdown, but brought the completion date forward from September 2008 to March 2009. Accordingly, one infantry battalion has been withdrawn along with two sector headquarters, military observers and various support elements. On 16 January, the Mission was reconfigured into two sectors, which will leave the Mission troop strength at 10,231 by 31 March 2009. UNMIL continued to provide security for the Special Court for Sierra Leone and has also taken over administrative and logistical support to the Court following the completion of the mandate of the United Nations Integrated Office in Sierra Leone (UNIOSIL) on 30 September 2008.

Police component

52. As at 3 February, UNMIL police strength stood at 1,226, including 471 police advisers, 722 formed police unit officers, 24 correction officers and 9 immigration officers. Of the two additional formed police units, authorized by resolution 1836 (2008), the unit from Jordan arrived on 29 January 2009, while the unit from India is expected during the first quarter of 2009.

VI. Recommendations

Benchmarks

53. The Mission continued to monitor progress towards meeting the drawdown benchmarks, as presented in my report of 19 March 2008 (S/2008/183), using them as a tool to prioritize and monitor work, together with the Government and the wider United Nations family in Liberia, in support of national priorities. Section III of the present report provides the status of specific indicators, including progress towards achieving the independent operational capability of the Liberian National Police and the Armed Forces of Liberia, the strengthening of rule of law institutions and increasing the capacity of Liberian institutions, at both national and local levels. In compliance with resolution 1836 (2008), refined benchmarks are presented as

annex I to the present report. Adjustments to the benchmarks relate primarily to the indicators for the Armed Forces of Liberia and the Liberian National Police and to preparations for the 2011 elections. The restoration of effective State authority throughout the country has also been identified as a core benchmark.

Military component

Drawdown phase 2

54. The recommendations for phase 2 of the UNMIL drawdown, put forward in my previous report and subsequently approved by the Security Council, were based on a technical assessment mission led by the Department of Peacekeeping Operations in June 2008. It included analysis of the main threats to peace and stability and the capacity of national institutions to deal with such threats. While some institutional progress has since been achieved, it has not exceeded the developments anticipated by the technical assessment mission in June. With respect to the regional dimension, the situation has deteriorated as a result of the coup in Guinea and the delays encountered in the Ivorian electoral process. My recommendations on troop reductions for the second phase had been based on the expectation that peaceful elections would be conducted in Côte d'Ivoire in 2008. However, the situations in Côte d'Ivoire and Guinea continued to be characterized by uncertainty.

55. While the reduction of 1,460 troops during phase 2 will be completed by 31 March, as requested by the Security Council, the movement and consolidation of certain UNMIL force elements will continue beyond this date, and will have to be completed during the rainy season. In order to meet the March deadline, logistic priority has been given to redeploying combat elements to facilitate repatriations. In addition, with expanded areas of responsibility and increased numbers of troops under their command, the new sector headquarters have to establish procedures and routines, taking the multinational composition into account.

Drawdown phase 3 and long-term scenarios

56. It is envisaged that phase 3 of the UNMIL drawdown will begin in September 2009, following a period of observation and consolidation of troop deployment after the completion of phase 2 in March. The pace of the third phase of the UNMIL drawdown, and the subsequent initiation of the Mission withdrawal, should be based on progress made towards the strategic objective of Liberia achieving a steady state of security. The key determining factors will be the capability of security institutions, in particular the Liberian National Police and the Armed Forces of Liberia, to operate independently of UNMIL, and developments in the subregion. The achievement of long-term peace and stability in Liberia will also depend on wider progress within the country, in particular ensuring a functioning rule of law system and the provision of viable economic opportunities for the population at large.

57. Despite the improvements made, the national security institutions, including the Liberian National Police and the Armed Forces of Liberia, are still some way from being fully independently operational. UNMIL continues to be required to provide advisory and mentoring services and to participate in the planning and execution of joint operational activities. In addition, backstop capacity from UNMIL military and police components will continue to be required to contain critical security situations. As the 2011 elections draw closer and the political process

intensifies, underlying tensions are expected to add to the challenges faced by national security institutions. Regarding the regional dimension, elections are likely to be scheduled in both Guinea and Côte d'Ivoire during phase 3 of the Mission drawdown. The completion date of the Special Court for Sierra Leone has been set at October 2010, while work to complete enforcement of sentencing agreements with other countries is ongoing. The Mission will continue to provide security to the Special Court, while consultations will be initiated with the Government of Sierra Leone and the Court to discuss future security arrangements.

58. On that basis, it is UNMIL's preliminary assessment that the Mission will require, at the end of phase 3, a military presence in each of the 15 counties, as well as troops deployed near strategic locations, including Capitol Hill, Monrovia Freeport and Roberts International Airport, key crossing points on the borders with Guinea and Côte d'Ivoire, as well as other sensitive areas, including the Liberian Agriculture Company and the Sinoe Rubber Plantation. A quick reaction force capability should also be retained. While national institutional capacity has increased since the last elections in 2005, this preliminary assessment is also based on the assumption that the Mission will be required to provide significant support to the national authorities in organizing the 2011 elections, both in terms of logistics and security.

59. Preliminary planning based on this military estimate indicates that the military component could be reduced by approximately 2,000 troops by the end of phase 3, including the reduction of two full infantry battalions and other elements, which would bring the total strength of the UNMIL force to 8,225 personnel by December 2010. Due to the rough terrain and the long rainy season in Liberia, as well as the expectation that UNMIL will provide assistance for the 2011 elections, the Mission has logistical challenges that require it to maintain sufficient and flexible support capacity, including aviation, engineering, transport and medical units. That level should allow UNMIL to continue to discharge its mandate of maintaining a stable and secure environment throughout the country, deal with potential spoilers and upheavals during the electoral process and address possible fallouts, should the subregional situation deteriorate.

60. As noted in my previous report, these preliminary planning figures should be subject to a thorough review by a technical assessment mission led by the Department of Peacekeeping Operations, which the Secretariat will deploy to Liberia before the end of the current mandate of UNMIL. It is expected that, following the completion of phase 3 in December 2010, the Mission would maintain its military strength at 8,225 until after the 2011 elections. Based on the situation after the elections, the Mission would enter phase 4 of its drawdown and final withdrawal. Details on planning for that phase would also be developed by the technical assessment mission.

Police component

61. In the light of the remaining challenges related to the national police, it is the Mission's preliminary assessment that its police component will be required to remain at its current strength during phase 3. It will continue its operational support to the Liberian National Police patrols, particularly in high crime neighbourhoods, and will provide critical backstop capacity to the Liberian National Police when responding to incidents of civil unrest. The Mission will also continue to provide

operational advice with an increased emphasis on patrol supervision, station command, community-based policing and Emergency Response Unit support, and will provide technical advice to the Liberian National Police leadership. In addition, assistance will be required to facilitate effective implementation of the Liberian National Police strategic plan and development programme, including support for community-based police activities.

62. On that basis, it is the preliminary plan not to undertake any significant reductions in the police advisory strength of the Mission and to maintain all seven formed police units, given their critical backstopping capability, until after the 2011 elections. The assessment of the operational capacity of the Liberian National Police, and its sustainability, will be based on the progress made in relation to the drawdown benchmarks and indicators presented above. If sufficient progress is achieved, it might be possible to resume the reduction of police advisers before the elections. The aforementioned technical assessment mission would also consider future levels of the UNMIL police component.

VII. Observations

63. During the reporting period, the Government of Liberia has continued to make steady progress towards achieving the objectives of the poverty reduction strategy, and to ensure deliverables within all four pillars of the strategy. Despite the sharp increase in food and fuel prices in 2008, many of the potential negative effects were mitigated by proactive policy initiatives. The Government has furthermore aimed to ensure progress on several important reform agendas, including the fight against corruption, public financial management reforms and the development of overall strategies for strengthening the Liberian National Police and the rule of law sector. However, limited national institutional capacity across all sectors remains a serious constraint, not least since most public institutions, at national and local levels, have had to be completely rebuilt after the conflict. This includes the national security agencies. I urge all international partners to continue to support Liberia during this crucial phase, especially with financial assistance for activities under the poverty reduction strategy framework. Given the close interlinkage between peace and development, it is important to ensure concurrent progress within all four pillars, particularly given the potential link between high youth unemployment and security.

64. Despite some progress, significant challenges still remain in meeting core security and rule of law benchmarks. The finalization of the Liberian National Police strategic plan is an important step forward, as it provides an overall framework for reform efforts, but the Government and its international partners must continue to work closely on implementation to ensure that major logistical constraints, training needs and operational challenges are adequately addressed. It is critically important, however, that support for police reforms is matched by commensurate progress in strengthening judicial and correctional institutions. National media and public opinion surveys consistently highlight law and order as a primary concern. This partly reflects a continued lack of public confidence in national security institutions and the criminal justice system, leading people to take justice into their own hands, frequently resulting in serious injury, death or property damage. The speed at which such attacks escalate is also a significant concern. The efforts to develop a comprehensive rule of law strategic plan are commendable, but enhanced progress is needed to alleviate the significant deficits remaining, in

particular the limited ability of courts to dispose their caseload. Likewise, challenges remain as regards the development of the national army, to ensure that it reaches full operational capability.

65. While the finalization of the first volume of the report of the Truth and Reconciliation Commission, which focuses on the root causes of the conflict, is a significant development, the Government and its partners must now take concrete action to implement the recommendations of the Commission. While gains have been made in the reconciliation process, worrying tensions remain between ethnic and regional groups that must be addressed urgently.

66. The preparations and conduct of presidential and legislative elections in 2011 will be a crucial test of the progress made in Liberia since the end of the conflict, including the capacity of the national security agencies and the rule of law system. I therefore encourage Liberia and its international partners to develop a comprehensive electoral plan, including the required financial and technical requirements, as soon as possible. It will also be important to ensure that critical preparatory steps, including the constitutional reform process, the strengthening of the National Elections Commission and the reform of the political party system, are undertaken by the Legislature well in advance.

67. The postponement of elections in Côte d'Ivoire and the recent military coup in Guinea have added to unpredictability in the subregion. Any negative trends in the security situation in these neighbouring countries will have a major impact on the situation in Liberia and its peacebuilding efforts. I am, however, encouraged by the growing cooperation within the Mano River Union and the Economic Community of West African States on security issues.

68. On the basis of the challenges outlined above, in particular the remaining challenges facing the security institutions of Liberia and the increased uncertainty regarding developments in the subregion, I recommend that no further adjustments to the UNMIL military and police components be made during the current mandate period. Subsequent adjustments may be possible during the third phase of the drawdown, which will begin in September 2009. However, a comprehensive technical assessment mission led by the Department of Peacekeeping Operations will need to be deployed to Liberia before the end of the current mandate period to develop more precise details regarding the next phase of the Mission drawdown and its eventual withdrawal. That assessment will be based on a review of the progress made towards the benchmarks developed for the Mission drawdown, and in close consultation with the Government of Liberia and international partners. Based on the findings of the assessment mission, I intend to provide further recommendations on the third phase of the Mission drawdown in my next report.

69. In conclusion, I would like to commend the people and Government of Liberia, my Special Representative, Ellen Margrethe Løj, and all UNMIL military, police and civilian personnel for the progress made in the country during the reporting period. The progress made on integration within the United Nations family in Liberia is encouraging. I would also like to thank all troop- and police-contributing countries, ECOWAS, the African Union, the International Contact Group on Liberia, United Nations agencies, funds and programmes, humanitarian organizations, multilateral and bilateral donors, and international and local non-government organizations for their important contributions and support to the peace consolidation process in Liberia.

Annex I

Benchmarks for drawdown phase of UNMIL (revised)

Benchmarks	Indicators of progress
Security[a]	
Armed Forces of Liberia (AFL) operational	AFL equipment received and training on equipment completed
	1st AFL battalion declares initial operational capability (IOC) to company level
	1st AFL battalion conducts company level exercises with UNMIL
	1st AFL battalion conducts battalion level training exercises with UNMIL
	1st AFL battalion achieves full operational capability
	2nd AFL battalion declares initial operational capability (IOC) to company level
	2nd AFL battalion conducts company level exercises with UNMIL
	2nd AFL battalion conducts battalion level training exercises with UNMIL
	2nd AFL battalion achieves full operational capability
	Combat support and combat service support troops achieve initial operational capability
	Combat support and combat service support troops conduct integration training with UNMIL
	Combat support and combat service support troops achieve full operational capability
	Development of national defence strategy
Liberian National Police (LNP) operational	Nationwide implementation of administrative and operating procedures completed
	Police oversight body established and operational
	500-member Emergency Response Unit (ERU) operational

	Human resource improvements validated through certification of fitness by United Nations police (integrity and skill-based) in collaboration with LNP Inspector General of Police and Ministry of Justice
	Operational capacity improved through police infrastructure enhancement, logistics support and equipping LNP police facilities to ensure sustained LNP deployments and enhanced operational capacity
	Realignment of LNP security coverage, inter alia, through reinforcement of LNP personnel in identified high-threat areas
	Access to police service reaches citizens and communities, including access through community police forums across the country
	Follow-up mechanisms functioning to ensure implementation of core elements of LNP strategic plan
	National Police Training Academy operational with basic, specialized and leadership training provided
National security strategy and architecture operational	National security strategy and architecture designed and fully implemented
	Law passed by the Legislature ratifying the reformed national security architecture
	Security coordination mechanisms operational nationally and in each county
Security sector budgetary support enhanced	Government of Liberia progressively increases its annual budgetary allocation for security sector reform in national budget
Control and monitoring of movement across borders operational	Deactivation of non-qualified personnel from Bureau of Immigration and Naturalization completed
	Bureau of Immigration and Naturalization capacity increased through electronic tracking and monitoring of passengers at Roberts International Airport
	Trained officers present at 36 official international entry points and 36 outposts operational
Reintegration of ex-combatants	Rehabilitation and reintegration programme completed

Effective State authority throughout the territory of Liberia	Functioning local authorities and institutions
	County administration operational nationwide
Economic revitalization[b]	
Implementation of the Governance and Economic Management Assistance Programme	Public finance management and governance reforms agreed with the International Monetary Fund (IMF) under the staff monitored or successor programme completed
	Government spending limits observed in line with the budget targets agreed with IMF
	Transparent and accountable procedures for granting concessions (as recommended by the Economic Governance Steering Committee) implemented
	The Heavily Indebted Poor Countries completion point reached
Revival of economic growth	Gross domestic product growth recovers in line with poverty reduction strategy projections
Strengthening State control for management of natural resources	Rubber concessions renegotiated for major plantations and regulatory policies in the rubber plantation sector implemented
	National forestry law implemented
	Environmental Protection Agency operational nationwide
	Kimberley Process Certification Scheme compliance functioning effectively and monitored
Governance and rule of law[b]	
Justice sector reform	Pre-trial case review mechanism established and operational
	Law Reform Commission operational
	Judicial Training Institute established and operational
	Accountability mechanisms established for money paid or entrusted to courts
	Legal advisory services available in each county
	Legally qualified public defenders available in each county

	Comprehensive review of the traditional court/justice systems completed and road map for implementation decided
	Increase in numbers of students graduating annually from the law school
	Development of implementation frameworks for rule of law strategic plans
	Significant increase in ability of courts to dispose their caseload on time and in accordance with the law, reducing the number of accused awaiting trial
Corrections reform	Deactivation of corrections staff: phase I: pensionable age staff (65 years) or 25 years of service; phase II: staff failing a written exam
	Proposals for changes in penal law with respect to corrections submitted to the Government of Liberia
	Amended penal law approved by the Legislature
	500 staff trained and deployed
	Operational correctional facilities in every county
Promotion and protection of human rights	Truth and Reconciliation Commission submits report to legislature, fulfilling mandate
	Independent National Commission on Human Rights functioning
	National human rights action plan developed and implementation started
Reconciliation progressing	Nationwide conflict management processes and training to address long-standing social divides
	Community-based recovery and reintegration programmes available for unemployed youth in high security-risk areas
	Strengthened political party system
	Enhanced legislative capacity to review and pass laws
Conduct of free and fair presidential and legislative elections	Adoption by the Legislature of all relevant laws to create the legal framework for the conduct of elections
	National Elections Commission fully operational to conduct elections
	Conduct of free and fair elections

Constitutional reform	Draft bills to amend provisions of the Constitution submitted to the Legislature
	Legislature adopts new provisions to amend the Constitution
	Referendum held on amended provisions of the Constitution
Anti-corruption strategy	Anti-Corruption Commission established and operational
	Implementation of recommendations from the reports of the General Audit Commission
Civil Service reform	Public Service Code of Conduct in place
	100 positions filled under the Senior Executive Service
	Civil Service strength right-sized and service conditions improved
Infrastructure and basic services[b]	
Rehabilitation of transport network	Main strategic routes repaired and maintained
	Steps taken to become compliant with the International Ship and Port Facility Security Code
Health services expanded	Minimum health package expanded and provided by 70 per cent of health facilities
	Enhanced and equipped services provided by the 354 existing functional health facilities
	Increase in skilled health workers deployed nationwide by 40 per cent
Access to quality education	Renovation of 33 primary and 6 secondary schools; new construction of 37 primary and 4 secondary schools nationwide
	Increased school enrolment and completion rate of 5 per cent annually, particularly of girls, nationwide
	Number of qualified teachers in schools increased by 10 per cent annually

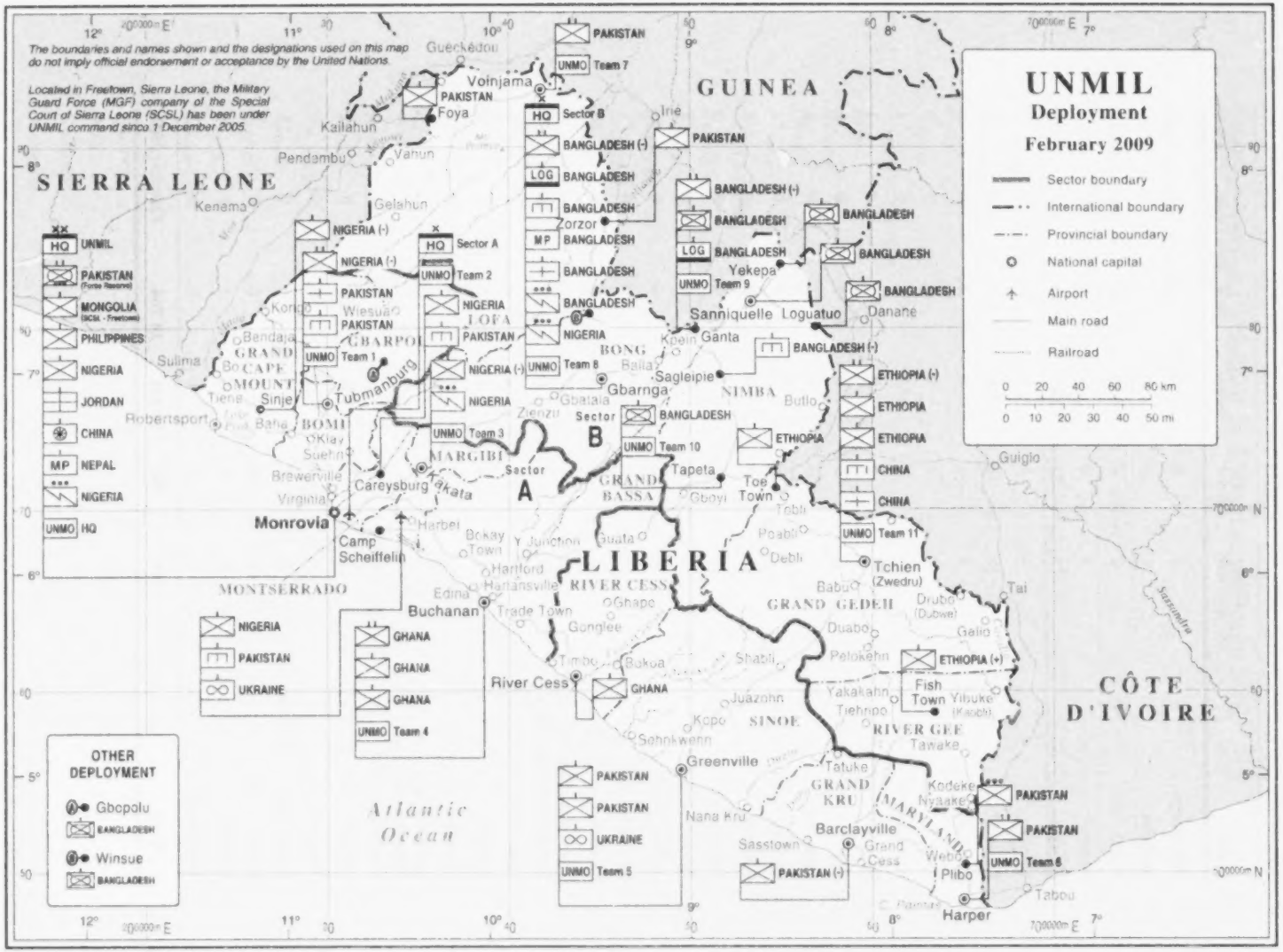
[a] Core benchmarks.
[b] Contextual benchmarks.

Annex II

United Nations Mission in Liberia: military and police strength (as at 2 February 2009)

Component	*Military*				*Police*	
Country	*Military observers*	*Staff officers*	*Troops*	*Total*	*Formed police units*	*Civilian police*
Argentina	0	0	0	0	0	6
Bangladesh	11	9	2 376	2 396	0	17
Benin	3	1	0	4	0	0
Bolivia	2	1	0	3	0	0
Bosnia-Herzegovina	0	0	0	0	0	11
Brazil	0	3	0	3	0	0
Bulgaria	2	0	0	2	0	0
China	2	5	558	565	0	20
Croatia	0	4	0	4	0	0
Czech Republic	0	0	0	0	0	5
Denmark	2	0	0	2	0	0
Ecuador	2	1	0	3	0	0
El Salvador	3	0	0	3	0	5
Ethiopia	19	6	975	1 000	0	0
Egypt	8	0	0	8	0	4
Fiji	0	0	0	0	0	30
Finland	0	2	0	2	0	0
France	0	1	0	1	0	0
Gambia	2	0	0	2	0	19
Germany	0	0	0	0	0	5
Ghana	12	6	699	717	0	44
Iceland	0	0	0	0	0	2
India	0	0	0	0	122	0
Indonesia	1	0	0	1	0	0
Jamaica	0	0	0	0	0	1
Jordan	4	7	115	126	240	19
Kenya	0	2	0	2	0	21
Korea	1	1	0	2	0	0
Kyrgyzstan	4	0	0	4	0	4
Malawi	0	0	0	0	0	5
Mali	5	0	0	5	0	0
Malaysia	10	0	0	10	0	0
Mongolia	0	2	248	250	0	0

Component	*Military*				*Police*	
Country	*Military observers*	*Staff officers*	*Troops*	*Total*	*Formed police units*	*Civilian police*
Montenegro	2	0	0	2	0	0
Namibia	1	4	0	5	0	6
Nepal	2	4	40	46	240	16
Niger	3	0	0	3	0	0
Nigeria	17	13	1 645	1 675	120	37
Norway	0	0	0	0	0	10
Pakistan	15	12	3 369	3 396	0	22
Paraguay	3	1	0	4	0	0
Peru	2	2	0	4	0	0
Philippines	3	5	163	171	0	7
Poland	2	0	0	2	0	3
Republic of Moldova	3	0	0	3	0	0
Romania	3	0	0	3	0	0
Russian Federation	5	0	0	5	0	12
Rwanda	0	0	0	0	0	5
Samoa	0	0	0	0	0	0
Senegal	1	3	0	4	0	0
Serbia	6	0	0	6	0	6
Sri Lanka	0	0	0	0	0	8
Sweden	0	0	0	0	0	20
The former Yugoslav Republic of Macedonia	0	0	0	0	0	0
Togo	1	1	0	2	0	0
Turkey	0	0	0	0	0	30
Uganda	0	0	0	0	0	15
United Kingdom of Great Britain and Northern Ireland	0	2	0	2	0	0
Ukraine	1	2	300	303	0	12
Uruguay	0	0	0	0	0	4
United States of America	4	4	0	8	0	15
Yemen	0	0	0	0	0	7
Zambia	0	0	3	3	0	18
Zimbabwe	2	0	0	2	0	32
Total	**169**	**104**	**10 491**	**10 764**	**722**	**503**



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